

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

BRENDA K. HURSTON : CASE NO. C-1-01 313  
Plaintiff : (Judge Weber)  
-vs- :  
BUTLER COUNTY DEPT. OF : AFFIDAVIT OF MICHAEL E.  
JOB AND FAMILY SERVICES, : JACOBS, ESQ.  
et al :  
Defendants :

::: ::: :::

STATE OF OHIO )  
 )SS:  
COUNTY OF BUTLER )

Now comes, Michael E. Jacobs, Esq., an individual over the age of eighteen and having personal knowledge of the facts contained herein, after being first duly sworn, states that the following is true and accurate to the best of his knowledge and belief:

1. I have been assisting Jack C. McGowan, counsel of record in the above-referenced matter.

2. On October 13, 2004, we turned over to plaintiff via letter a copy of her entire personnel file and some additional documents which had been turned over to counsel by the Department of Job and Family Services as outlined in my letter to Brenda Hurston, attached hereto as Exhibit 1.

3. In preparation for preparing the letter to Ms. Hurston,

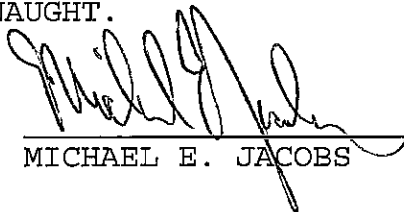
I reviewed the entire contents of our file.

4. On October 19, 2004, we turned over to plaintiff via letter a copy of Agreement between Butler County Department of Human Services and the AFLCIO Local from December 3, 1987 through October 31, 1989 which has been turned over to counsel by the Department of Job and Family Services as outlined in my letter to Brenda Hurston, attached hereto as Exhibit 2.

5. On October 22, 2004, we turned over to plaintiff via letter two pages of information regarding plaintiff's pay and leave history, Auditor's records from 1993 to 2001, a memorandum indicating that requests to personnel for interviews for job positions are only kept as far back as 2001, and an Assent to Lateral Class Change from October of 1988 which were provided to counsel on October 20, a true and accurate copy of the letter to Ms. Hurston is attached hereto as Exhibit 3.

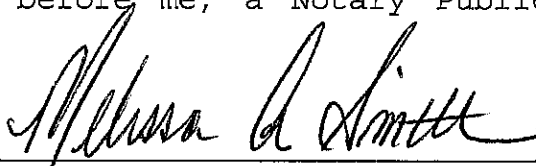
6. As of the date of the mailings of the letters to Ms. Hurston all documents that have been provided by Butler County that were not privileged were provided to Ms. Hurston either prior to or with the letters which are attached hereto as Exhibits 1, 2 and 3.

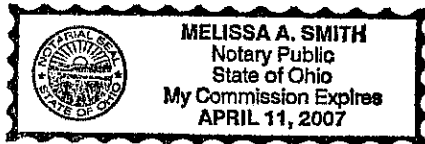
FURTHER AFFIANT SAYETH NAUGHT.



MICHAEL E. JACOBS

Sworn to and subscribed before me, a Notary Public, this  
22nd day of October, 2004.

  
\_\_\_\_\_  
NOTARY PUBLIC



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CGOWAN & JACOBS, LLC  
NEYS AND COUNSELORS AT LAW  
246 HIGH STREET  
HAMILTON, OHIO 45011  
TELEPHONE (513) 844-2000  
FAX (513) 868-1190



JCM@jcmcgowan.com  
MichaelJacobs@jcmcgowan.com

\*ALSO ADMITTED IN KENTUCKY AND INDIANA

Sent To  
Street, Apt. No.,  
or PO Box No.  
City, State, ZIP+4

PS Form 3800, June 2002 See Reverse for Instructions

October 13, 2004

Ms. Brenda Hurston  
1812 Grand Avenue  
Middletown, OH 45044

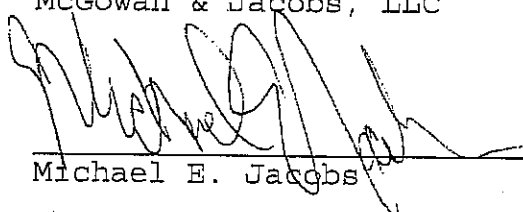
Re: Brenda K. Hurston vs. Butler County Job & Family Services

Dear. Ms. Hurston:

Please find enclosed a copy of Dr. Randolph's May 5, 1998 report. Also enclosed please find a complete copy of your personnel file from the Butler County Department of Job and Family Services. Additionally, enclosed is another copy of the November 30, 1990 agreement between Butler County Department of Human Services, Butler County, Ohio and the American Federation of State, County and Municipal Employees Ohio Council A Local 3062 AFL-CIO. We apologize for not copying all pages and only copying even numbered pages. Lastly, please find enclosed a job audit and classification information.

Sincerely,

McGowan & Jacobs, LLC

  
Michael E. Jacobs

MEJ:ksj  
Enclosures



McGOWAN & JACOBS, LLC  
ATTORNEYS AND COUNSELORS AT LAW  
246 HIGH STREET  
HAMILTON, OHIO 45011

JACK C. MCGOWAN  
MICHAEL E. JACOBS\*

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JCM@jcmcgowan.com  
MichaelJacobs@jcmcgowan.com

\*ALSO ADMITTED IN KENTUCKY AND INDIANA

VIA CERTIFIED MAIL

October 19, 2004

Ms. Brenda Hurston  
1812 Grand Avenue  
Middletown, OH 45044

Re: Brenda K. Hurston vs. Butler County Job & Family Services

Dear Ms. Hurston:

Enclosed please find the agreement between Butler County Department of Human Services and the AFLCIO Local covering the time frame of December 3, 1987 through October 31, 1989. This would have been in effect as of your hire date in March, 1988.

Yours very truly,

McGowan & Jacobs, LLC

*Jack C McGowan*  
\_\_\_\_\_  
Jack C. McGowan

JCM:ksj  
Enclosure

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Form 3800, June 2002 See Reverse for Instructions



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246 HIGH STREET  
HAMILTON, OHIO 45011

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MichaelJacobs@jcmcgowan.com

\*ALSO ADMITTED IN KENTUCKY AND INDIANA

October 22, 2004

Ms. Brenda Hurston  
1812 Grand Avenue  
Middletown, OH 45044

Re: Brenda K. Hurston vs. Butler County Job & Family Services

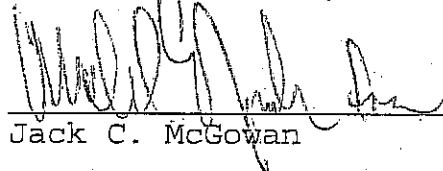
Dear. Ms. Hurston:

Please find enclosed some additional records including two pages of information regarding your pay and leave history, Auditor's records from 1993 to 2001, a memorandum indicating that requests to personnel for interviews for job positions are only kept as far back as 2001, and an Assent to Lateral Class Change from October of 1988.

The Department of Job and Family Services has found no other records responsive to your Requests for Production of Documents, Things and Business Records.

Yours very truly,

McGOWAN & JACOBS, LLC

  
\_\_\_\_\_  
Jack C. McGowan

JCM:ksj  
Enclosures